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Elimination of racism and racial discrimination

Nigeria:* draft resolution

Third Decade to Combat Racism and Racial Discrimination and the convening of the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance

The General Assembly,

Reaffirming its objectives, as set forth in the Charter of the United Nations, of achieving international cooperation in solving problems of an economic, social, cultural or humanitarian character and in promoting and encouraging respect for human rights and fundamental freedoms for all without distinction as to race, sex, language or religion,

Reaffirming also its firm determination and its commitment to eradicate totally and unconditionally racism in all its forms and racial discrimination and its conviction that racism and racial discrimination constitute a total negation of the purposes and principles of the Charter and the Universal Declaration of Human Rights,[1]

Recalling the Universal Declaration of Human Rights, the International Convention on the Elimination of All Forms of Racial Discrimination[2] and the Convention against Discrimination in Education adopted by the United Nations Educational, Scientific and Cultural Organization on 14 December 1960,[3]

* On behalf of the States Members of the United Nations that are members of the Group of 77 and China.

[1] Resolution 217 A (III).

[2] Resolution 2106 A (XXX), annex.

[3] United Nations, *Treaty Series*, vol. 429, No. 6193.

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Recalling also the outcome of the two World Conferences to Combat Racism and Racial Discrimination, held at Geneva in 1978[4] and in 1983,[5]

Welcoming the outcome of the World Conference on Human Rights, held at Vienna from 14 to 25 June 1993, and, in particular, the attention given in the Vienna Declaration and Programme of Action[6] to the elimination of racism, racial discrimination, xenophobia and other forms of intolerance,

Stressing the importance and sensitivity of the activities of the Special Rapporteur of the Commission on Human Rights on contemporary forms of racism, racial discrimination, xenophobia and related intolerance,

Recalling with satisfaction the proclamation, in its resolution 48/91 of 20 December 1993, of the Third Decade to Combat Racism and Racial Discrimination, which began in 1993, and the adoption, in its resolution 49/146 of 23 December 1994, of the revised Programme of Action for the Third Decade,

Noting with grave concern that, despite the efforts of the international community, the principal objectives of the two previous Decades for Action to Combat Racism and Racial Discrimination have not been attained and that millions of human beings continue to the present day to be the victims of varied forms of racism and racial discrimination,

Noting with great concern that, despite the efforts undertaken by the international community at various levels, racism, racial discrimination, xenophobia and related forms of intolerance, ethnic antagonism and acts of violence are showing signs of increase in many parts of the world, in particular in Europe and North America, and that the number of associations established on the basis of racist and xenophobic platforms and charters is increasing, as reflected in the report of the Special Rapporteur,[7]

Noting with concern that racism, racial discrimination, xenophobia and related intolerance may be aggravated by, inter alia, inequitable distribution of wealth, marginalization and social exclusion,

Recognizing that the promotion of tolerance and respect for cultural diversity is an important factor, among others, in eliminating racism, racial discrimination, xenophobia and related intolerance,

Deeply concerned that technological developments in the field of communications, including the Internet, continue to be utilized by various groups, in particular those advocating racism and racial discrimination and those engaged in violent activity, to promote racist and xenophobic propaganda aimed at inciting hatred and to collect funds to sustain violent campaigns against multi-ethnic societies throughout the world,

Noting that the use of such technologies can also contribute to combating racism, racial discrimination, xenophobia and related intolerance,

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[4] See *Report of the World Conference to Combat Racism and Racial Discrimination, Geneva, 14-25 August 1978* (United Nations publication, Sales No. E.79.XIV.2).

[5] See *Report of the second World Conference to Combat Racism and Racial Discrimination, Geneva, 1-12 August 1983* (United Nations publication, Sales No. E.83.XIV.4 and corrigendum).

[6] A/CONF.157/24 (Part I), chap. III.

[7] See A/55/304.

Having considered the report submitted by the Secretary-General[8] within the framework of the implementation of the Programme of Action,

Recalling its resolution 54/154 of 17 December 1999, in which it requested the Secretary-General to include in his report to the General Assembly at its fifty-fifth session concrete proposals on how to ensure the financial and personnel resources required for the implementation of the Programme of Action,

Recognizing the importance of strengthening national legislation and institutions for the promotion of racial harmony and for the effective enforcement of such legislation,

Deeply concerned that the phenomenon of racism and racial discrimination against migrant workers continues to increase, despite the efforts made by the international community to improve the protection of the human rights of migrant workers and members of their families,

Recalling the adoption at its forty-fifth session of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families,[9]

Acknowledging that indigenous people are at times victims of particular forms of racism and racial discrimination,

Stressing the importance of urgently eliminating growing and violent trends of racism and racial discrimination, and conscious that any form of impunity for crimes motivated by racist and xenophobic attitudes plays a role in weakening the rule of law and democracy and tends to encourage the recurrence of such crimes and requires resolute action and cooperation for its eradication,

I

Implementation of the Programme of Action for the Third Decade to Combat Racism and Racial Discrimination and coordination of activities

1. Welcomes the report submitted by the Secretary-General;[8]

2. *Reaffirms* that racism and racial discrimination are among the most serious violations of human rights in the contemporary world, and expresses its firm determination and its commitment to eradicate, by all available means, racism in all its forms and racial discrimination;

3. *Acknowledges* that States that condone or ignore any dissemination of ideas and materials based on racial superiority or hatred, incitement to racial discrimination or racial hatred and acts of violence or incitement to such acts against any race or group of persons of another colour or ethnic origin, and the provision of any assistance to racist activities, including the financing thereof, commit a human rights violation;

4. *Urges* all Governments to take all necessary measures to combat new forms of racism, in particular by constantly adapting the means provided to combat them, especially in the legislative, judicial, administrative, educational and information fields;

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[8] A/55/285.

[9] Resolution 45/158, annex.

5. *Calls upon* all States resolutely to bring to justice the perpetrators of crimes motivated by racism and calls upon those that have not done so to consider including racist motivation as an aggravating factor for the purposes of sentencing;

6. *Requests* the United Nations High Commissioner for Human Rights to assign a high priority to the follow-up to programmes and activities for combating racism and racial discrimination, consistent with the need to ensure the effective preparation of the World Conference against Racism, Racial Discrimination, Xenophobia and Racial Intolerance;

7. *Requests* the Secretary-General in his reports on racism, racial discrimination, xenophobia and related intolerance to accord special attention to and provide information on the situation of migrant workers and members of their families in this regard;

8. *Calls upon* all Member States to consider signing and ratifying or acceding to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families[9] as a matter of priority;

9. *Commends* all States that have ratified or acceded to the international instruments to combat racism and racial discrimination, especially the International Convention on the Elimination of All Forms of Racial Discrimination[2] and the Convention against Discrimination in Education;[3]

10. *Urges* all States that have not yet done so to become parties to the International Convention on the Elimination of All Forms of Racial Discrimination in order to achieve its universal ratification;

11. *Urges* States to limit the extent of any reservation they lodge to the International Convention on the Elimination of All Forms of Racial Discrimination, to formulate any reservation as precisely and as narrowly as possible, to ensure that no reservations are incompatible with the objective and purpose of the Convention or otherwise incompatible with international treaty law, to review their reservations regularly with a view to withdrawing them and to withdraw reservations that are contrary to the objective and purpose of the Convention or that are otherwise incompatible with international treaty law;

12. *Emphasizes* the importance of the full compliance of States parties with their obligations under the International Convention on the Elimination of All Forms of Racial Discrimination;

13. *Urges* all States parties to intensify their efforts to meet their obligations under article 4 of the International Convention on the Elimination of All Forms of Racial Discrimination, with due regard to the principles contained in the Universal Declaration of Human Rights[1] and to article 5 of the International Convention on the Elimination of All Forms of Racial Discrimination, with respect to:

(a) Declaring an offence punishable by law any dissemination of ideas based on racial superiority or hatred, incitement to racial discrimination and all acts of violence or incitement to such acts against any race or group of persons of another colour or ethnic origin, and the provision of any assistance to racist activities, including the financing thereof;

(b) Declaring illegal and prohibited organizations and organized and all other propaganda activities that promote and incite racial discrimination, and recognizing participation in such organizations or activities as offences punishable by law;

(c) Not permitting public authorities or public institutions, whether national or local, to promote or incite racial discrimination;

14. *Encourages* the mass media to promote ideas of tolerance and understanding among peoples and different cultures;

15. *Requests* the Secretary-General to continue to draw attention to the effects of racial discrimination on minorities and migrant workers and members of their families, especially children and women, in the fields of education, training and employment and to submit in his report specific recommendations for the implementation of measures to combat such discrimination;

16. *Recognizes* the need for adequate support and financial resources for the Third Decade to Combat Racism and Racial Discrimination and the Programme of Action for the Third Decade to Combat Racism and Racial Discrimination, and requests the Secretary-General to include in his report to the General Assembly at its fifty-sixth session concrete proposals on how to ensure the financial and personnel resources required for the implementation of the Programme of Action, including through the regular budget of the United Nations and extrabudgetary sources;

17. *Expresses its appreciation* to those who have made contributions to the Trust Fund for the Programme of Action for the Third Decade to Combat Racism and Racial Discrimination, strongly appeals to all Governments, intergovernmental and non-governmental organizations and individuals in a position to do so to contribute generously to the Fund, and to this end requests the Secretary-General to continue to establish the appropriate contacts and undertake the appropriate initiatives;

18. *Welcomes* the establishment of the racism project team in the Office of the United Nations High Commissioner for Human Rights with a view to coordinating all activities of the Third Decade;

19. *Urges* all Governments, the Secretary-General, United Nations bodies, the specialized agencies, intergovernmental organizations and relevant non-governmental organizations, in implementing the Programme of Action, to pay particular attention to the situation of indigenous people;

20. *Requests* States to consider the relevant decisions of the Economic and Social Council on the integrated follow-up to previous world conferences and the need to make optimum use of all available mechanisms in the struggle against racism;

21. *Strongly underlines* the importance of education as a significant means of preventing and eradicating racism and racial discrimination and of creating awareness of principles of human rights, in particular among young people, and in this regard requests the United Nations Educational, Scientific and Cultural Organization to continue its work on the preparation and dissemination of teaching materials and teaching aids to promote teaching, training and educational activities on human rights and against racism and racial discrimination, with particular emphasis on activities at the primary and secondary levels of education;

22. *Considers* that, in order to attain the objectives of the Third Decade, all parts of the Programme of Action should be given equal attention;

23. *Requests* the Secretary-General to accord high priority to the activities of the Programme of Action for the Third Decade, and in this regard also requests the Secretary-General to ensure that the necessary financial resources are provided for the implementation of the activities of the Third Decade during the biennium 2002-2003;

24. *Also requests* the Secretary-General to continue to submit each year to the Economic and Social Council a detailed report on all activities of United Nations bodies and the specialized agencies, containing an analysis of information received on such activities to combat racism and racial discrimination;

25. *Invites* the Secretary-General to submit to the General Assembly proposals which would assist in the full implementation of the Programme of Action;

26. *Reiterates its calls upon* all Governments, United Nations bodies, the specialized agencies and intergovernmental and regional organizations and interested non-governmental organizations to contribute fully to the effective implementation of the Programme of Action;

II

World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance

1. *Recalls* its resolutions 52/111 of 12 December 1997 and 53/132 of 9 December 1998, in which it established that the Commission on Human Rights would act as the Preparatory Committee for the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, and its resolution 54/154, and takes note of Commission on Human Rights resolution 2000/14 of 17 April 2000[10] and Economic and Social Council resolution 2000/21 of 28 July 2000;

2. *Takes note* of the report of the Commission on Human Rights acting as the preparatory committee for the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance on its first session,[11] held from 1 to 5 May 2000 and welcomes the slogan for the World Conference adopted by the Preparatory Committee,[12] namely, "United to combat racism: equality, justice, dignity";

3. *Recommends* that the Preparatory Committee give due consideration to the recommendations of the Special Rapporteur of the Commission on Human Rights on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, contained in his report to the General Assembly at its fifty-fifth session;[13]

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[10] See *Official Records of the Economic and Social Council, 2000, Supplement No. 3* (E/2000/3), chap. II, sect. A.

[11] A/55/307.

[12] Ibid., annex I, decision PC.1/10.

[13] See A/55/304.

4. *Requests* the Secretary-General to continue to ensure that adequate financial resources are made available for the preparatory process for the World Conference, including from the regular budget of the United Nations;

5. *Requests* the Secretary-General and the United Nations High Commissioner for Human Rights to continue to make every effort to ensure the mobilization of resources for the voluntary fund for the World Conference to cover the participation of the least developed countries in the preparatory process and in the Conference itself, and requests all Governments, international and non-governmental organizations and private individuals to contribute to the fund;

6. *Calls upon* the High Commissioner to help States and regional organizations, upon request, to convene and finalize national and regional meetings or to undertake other initiatives, including activities at the expert level, to prepare for the World Conference, and urges the specialized agencies and the regional commissions, in coordination with the High Commissioner, to contribute to the convening of regional preparatory meetings;

7. *Requests* the Secretary-General, the specialized agencies and the regional commissions to provide financial and technical assistance for the organization of the regional preparatory meetings planned in the context of the World Conference;

8. *Encourages* the widest possible participation of non-governmental organizations in the World Conference and in the sessions of the Preparatory Committee, as well as in the regional meetings, regional expert seminars and other initiatives, including activities at the expert level, held in preparation for the World Conference;

9. *Welcomes* the offer by the Government of South Africa to host the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance from 31 August to 7 September 2001 and invites the international community to support the host country with financial resources;

10. *Welcomes* the offers made by the Government of Senegal, the Islamic Republic of Iran and Chile to convene the regional preparatory meetings within the framework of the World Conference, respectively at Dakar, from 22 to 24 January 2001, at Tehran, from 19 to 21 February 2001 and at Santiago, from 4 to 7 December 2001, and the convening by the Council of Europe of the regional preparatory meeting at Strasbourg from 11 to 13 October;

11. *Requests* the High Commissioner:

(a) To continue and intensify, in her capacity as Secretary-General of the World Conference, the activities already initiated within the framework of the world information campaign with a view to the mobilization and provision of support for the objectives of the World Conference by all sectors of political, economic, social and cultural life, as well as other interested sectors, and to inform the Preparatory Committee of developments in this regard;

(b) To help States, upon request, and regional organizations to convene national and regional meetings or to undertake other initiatives, including activities at the expert level, to prepare for the World Conference;

(c) To undertake appropriate consultations with non-governmental organizations with regard to the possibility that they might hold a forum before and

partly during World Conference and, insofar as possible, to provide them with technical assistance for that purpose;

(d) To continue fund-raising activities in order to increase the resources for the voluntary fund established specifically to cover all aspects of the preparatory process for the World Conference and the participation of non-governmental organizations, in particular those from developing countries;

(e) To identify the political, historical, economic, social and cultural factors and any other factor leading to racism, racial discrimination, xenophobia and related intolerance with a view to achieving a better understanding and appraising these problems;

(f) To review the progress made in the fight against racism, racial discrimination, xenophobia and related intolerance, in particular since the adoption of the Universal Declaration of Human Rights, and to reappraise the obstacles to the achievement of further progress in the field and ways in which to overcome them;

(g) To consider ways and means to ensure better implementation of the standards of the existing instruments to combat racism, racial discrimination, xenophobia and related intolerance;

12. *Requests* to the regional preparatory processes to identify trends, priorities and obstacles at the national and regional levels, and to formulate specific recommendations for the action to be carried out in the future to combat racism, racial discrimination, xenophobia and related intolerance;

13. *Calls upon* the regional preparatory meetings to submit to the Preparatory Committee, at its second session, through the High Commissioner, reports on the results of their deliberations, with concrete and pragmatic recommendations aimed at combating racism, racial discrimination, xenophobia and related intolerance, which will be duly reflected in the texts of the draft final documents of the World Conference, to be prepared by the Committee;

14. *Invites* Governments to promote the participation of national institutions and local non-governmental organizations in the preparations for the World Conference and in the regional meetings and to organize debates in national parliaments on the objectives of the World Conference;

15. *Encourages* all parliaments to participate actively in the preparation of the World Conference and requests the High Commissioner to explore ways and means of effectively involving parliaments through the relevant international organizations;

16. *Decides* that the World Conference should adopt a declaration and a programme of action containing concrete and practical recommendations that, in addition to being aimed at combating racism, racial discrimination, xenophobia and related intolerance through education and criminal prosecution, should consider economic and social measures in favour of people marginalized as a result of present or past discrimination;

17. *Stresses* the importance of systematically adopting a gender-based approach throughout the preparations for and in the outcome of the World Conference;

18. *Recommends* that the particular situation of children and youth should receive special attention during the preparations for and during the World Conference, especially in its outcome;

19. *Welcomes* the decision taken by the Preparatory Committee for the World Conference at its first session on the themes to be included in the provisional agenda for the Conference[14] and requests the Preparatory Committee to finalize a draft declaration and programme of action, taking into account the outstanding issues, all of the themes presented to the Preparatory Committee at its first session and, inter alia, the contributions to be made by the remaining preparatory processes and other relevant initiatives;

20. *Decides* to establish an inter-sessional working group which will meet for five working days to develop further the draft agenda and the draft declaration and programme of action for the World Conference;

21. *Decides* to allocate five additional working days to the Preparatory Committee for its second session;

22. *Appeals* to Member States to contribute generously to the voluntary fund for the World Conference to cover the preparatory process and the Conference and the participation of non-governmental organizations from developing countries;

23. *Requests* Governments, the specialized agencies, other international organizations, concerned United Nations bodies, regional organizations, non-governmental organizations, the Committee on the Elimination of Racial Discrimination, the Special Rapporteur of the Commission on Human Rights on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, the Special Rapporteur of the Commission on Human Rights on the human rights of migrants and other human rights mechanisms to participate actively in the preparatory process with a view to ensuring the success of the World Conference and to coordinate their activities in this regard with the assistance of the High Commissioner;

24. *Calls upon* States and regional organizations to continue the process of convening national and regional meetings or undertaking other initiatives, such as public information campaigns, to raise awareness of the World Conference as part of the preparations for the Conference;

III

Proclamation of 2001 as the International Year of Mobilization against Racism, Racial Discrimination, Xenophobia and Related Intolerance

1. *Strongly reaffirms* the proclamation of 2001 as the International Year of Mobilization against Racism, Racial Discrimination, Xenophobia and Related Intolerance, and in this context calls upon Governments, all relevant entities of the United Nations system and non-governmental organizations to observe the International Year in a suitable manner, including through programmes of action;

2. *Emphasizes* that the activities to be implemented within the framework of the International Year should be directed towards the preparation of the World Conference and the realization of its objectives;

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[14] Ibid., decision PC.1/13.

IV
General

Decides to keep the item entitled "Elimination of racism and racial discrimination" on its agenda and to consider it as a matter of high priority at its fifty-sixth session.